

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:21-CV-00037

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
TICO JERMAINE BYNUM,)
MALCOLM BYNUM, and)
DONALD BYNUM,)
)
Defendants.)
)

**CLERK'S NOTICE OF POST-JUDGMENT EXECUTION
AND INSTRUCTIONS TO DEFENDANTS TICO BYNUM AND MALCOLM BYNUM**

You are hereby notified that this execution on property is being taken by the United States of America, which has a judgment against Tico Bynum in case number 3:97-CR-338 in the United States District Court for the Western District of North Carolina in the amount of \$35,283.03. A balance of \$17,005.20 remains outstanding as of May 11, 2022. The United States also has a judgment against Tico Bynum in case number 3:07-CR-52 in the United States District Court for the Western District of North Carolina in the amount of \$213,424.65. A balance of \$203,573.62 remains outstanding as of May 11, 2022. The United States also has a judgment against Malcolm Bynum in case number 3:20-CR-202 in the United States District Court for the Western District of North Carolina in the amount of \$169,923.24. A balance of \$169,923.24 remains outstanding as of May 11, 2022.

In addition, you are hereby notified that there are exemptions under the law which may protect some of the property from being taken by the United States Government if Tico Bynum or Malcolm Bynum can show that the exemptions apply. Attached to the Writ is a summary of the major exemptions which apply in most situations under Federal Law (18 U.S.C. §3613).

If you are Tico Bynum or Malcolm Bynum, you have a right to ask the Court to return your property to you if you think you do not owe the money to the Government that it says you do, or if you think the property the Government is taking qualifies under one of the attached exemptions.

If you want a hearing, you must notify the Court within 20 days after you receive this notice. You must make your request in writing, and either mail it or deliver it in person to the Clerk of the United States District Court at Room 204, Charles R. Jonas Building, 401 West Trade Street, Charlotte, NC 28202. If you wish you may use this notice to request the hearing by checking the box below and mailing this notice to the Court Clerk.



Reason for Requesting Hearing:

- I do not owe the money the government says I do (for default judgment only).
- The property that the government is taking is exempt. Please attach Claim for Exemption Form.
- The government did not comply with the statutory requirements for issuance of the Writ of Execution.

You must also send a copy of your request to the Government at: United States Attorney's Office, Financial Litigation Unit, 227 West Trade Street, Suite 1650, Charlotte, NC 28202, so the Government will know that you want a hearing. The hearing will take place within 5 days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible.

At the hearing you may explain to the Judge why you believe the property the Government has taken is exempt or why you do not owe the money to the Government. If you do not request a hearing within 20 days of receiving this notice, your property may be sold at public auction and the proceeds of the sale paid on the debt you owe the Government.

If you think you live outside the Federal judicial district in which the Court is located, you may request, not later than 20 days after you receive this notice, that this proceeding to take your property be transferred by the Court to the Federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the Clerk of Court at Room 204, Charles R. Jonas Building, 401 West Trade Street, Charlotte, NC 28202. You must also send a copy of your request to the Government at: United States Attorney's Office, Financial Litigation Unit, 227 West Trade Street, Suite 1650, Charlotte, NC 28202, so the Government will know you want the proceeding to be transferred.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the Clerk of Court. The clerk is not permitted to give legal advice, but can refer you to other sources of information.

Frank G. Johns
Clerk of United States District Court